

## REMARKS

Claims 1-13 were previously pending in this application.

Claims 1-13 are rejected.

Claims 1, 2, 5, 7, 8, 10, 11, and 13 are amended.

Claims 3-4, 6, 12 are cancelled, without prejudice.

No new matter is added.

claims 1-2, 5, 7-11, and 13 remain in the case for reconsideration.

Reconsideration is respectfully requested.

### Claim Rejections - 35 USC § 112

Claim 1 is rejected under 35 U.S.C. 112. In claim 1, lines 7, 9 and 11 the phrase "and/or" renders the claim indefinite. The rejection is respectfully traversed.

Applicant believes that the term "and/or" does not renders the claim indefinite. However, to expedite the allowance of this case, the term "and/or" in claim 1 is replaced with --and--. Thus, the rejection under 35 U.S.C. 112 is overcome.

### Claim Rejections - - 35 USC § 103

Claims 1-3, 5-6 and 8-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,787,402 to Potter et al ("Potter"), in view of E\*TRADE Securities, Inc. ("E\*TRADE"). The rejection is respectfully traversed.

Applicant does not agree with the Examiner's analysis. Nonetheless, to expedite the allowance of this case, claims 1, 2, 5, and 11 are now amended to recite "wherein step a) is executed by a user and steps b), c), d) are executed without the intervention of the user, the new selling order price in step d) is higher than the contracted price determined in step c), and the new purchase order price in step d) is lower than the contracted price determined in step c)."

In contrast, in Porter, after Customer inputs the characteristics of the transaction, "the system then automatically generates an offer in response to the customer's request based upon a number of parameters including the market price, the size and nature of the transaction and the size and nature of the client. The system then promptly displays the

bank's offer to the customer in a clear and concise manner. The customer is *then* given an opportunity to accept the offer, ask that the offer be updated or reject the offer."

(Emphasis added) See the Abstract of Potter.

Thus, Potter does not teach or suggests "steps b), c), d) are executed *without the intervention of the user*," as recited in the claimed invention because there has to be an intervention of the user and there should be an opportunity for the customer to accept the offer, ask that the offer be updated or reject the offer.

Moreover, Potter does not teach or suggest "the new selling order price in step d) is higher than the contracted price determined in step c), and the new purchase order price in step d) is lower than the contracted price determined in step c), as recited in the claimed invention."

Also, none of other references cited by the Examiner teaches or suggests the above limitations of the claimed invention.

Thus, the rejection of claims 1, 2, 5, and 11 under 35 U.S.C. 103(a) is overcome and claims 1, 2, 5, and 11 are allowable. Claims 7-8, and 10, which depend from claim 5, and claim 13, which depends from claim 11, are also allowable.

#### **Requirements Under 37 CFR § 1.111(c)**

Applicant is required under 37 CFR § 1.111(c) to consider Ameritrade, Feb. 11, 1998 "Client Trade Here," ("Ameritrade") and U.S. Pat. No. 5,797,127 to Walker et al ("Walker").

As stated above, none of the cited references teach or suggests the above limitations of the claimed invention. Thus, claims are allowable over Ameritrade and Walker.

## CONCLUSION

For the foregoing reasons, reconsideration and allowance of claims 1-2, 5, 7-11, and 13 of the application as amended is solicited. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,  
MARGER JOHNSON & McCOLLOM, P.C.



Hosoon Lee  
Limited Recognition Under 37 CFR § 10.9(b)

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ON 8-9-02

*Judith Hignire*

## VERSION WITH MARKINGS TO SHOW CHANGES MADE

### In the Specifications

Page 8, line 17 and ending at page 8, line 19.

In case a securities company invests in a stock on behalf of a client, [hardward] hardware and software resources of the user computer 10 are integrated to the computer system 20 of the securities company.

Page 11, line 22 and ending at page 12, line 7.

If the selling order is not contracted on the same day, same order is generated by computer every day until the selling order is concluded. If the order is contracted, the account remainder and share residual quantity are amended, step 320, and the computer discriminates whether or not the condition is met according to the previously set-up second automatic trade condition. If the second condition is met, a new order is immediately generated. In other words, as soon as the first a trade is concluded, a second trade order is actually created. A stock trade order is automatically generated by the computer as much as the automatic trade condition is established according to this method. When the established automatic trade conditions are all concluded, automatic trade is stopped. In the present invention, completion of the automatic trade is advised to a user by an appropriate method. This method may include beeper, E-mail, cellular telephone or the like. This notifying method can be realized by [well-know] well-known technologies.

Page 19, line 21 and ending at page 20, line 1.

The first, second, third and fourth embodiments according to the present invention are embodied by the system illustrated in Figures 1 and 2. Information received from the computer system 30 of KSE or other computer (not shown) connected to Internet is compared with automatic trade condition [priorly] previously set up by a user according to the trade condition control module 16 to discriminate whether or not purchase condition and/or selling condition are/is satisfied. As a result of the discrimination, if the condition(s) is(are) met, a selling order and/or purchase order are(is) placed with the trade performing module 24 of the computer system 20 at the securities company according to the trade order control module 14.

### In the Claims

1. (Amended) An automatic ordering method[, the automatic ordering method] for trading of stocks, bonds, items, futures, options, indexes, foreign currencies [and] or the like [through] using a computer system connected to a data communication network, [comprises] comprising [the steps of]:

a) [determining] selecting a trade-desired object and inputting an automatic trade condition containing purchase and selling conditions in [a] the computer system, the automatic trade condition comprising a selling price, a selling quantity, a purchase price and a purchase quantity;

b) [issuing] placing purchase [and/or] and selling [order(s)] orders according to the automatic trade [conditions] condition through the data communication network;

c) [discriminating] determining whether the purchase order [and/or] or selling order has been contracted through the data communication network; and

d) placing new purchase [and/or] and selling [order(s)] orders at a new price by the computer through the data communication network according to the automatic trade [conditions] condition when either the purchase order or the selling order is contracted according to step c).

wherein step a) is executed by a user and steps b), c), d) are executed without the intervention of the user, the new selling order price in step d) is higher than the contracted price determined in step c), and the new purchase order price in step d) is lower than the contracted price determined in step c).

2. (Amended) An automatic ordering method, the method using a computer system connected to a data communication network, [the method] comprising [the steps of]:

a) [determining] selecting a trade-desired stock and inputting an automatic trade condition including purchase and selling conditions at the computer system, the automatic trade condition comprising a selling price, a selling quantity, a purchase price and a purchase quantity;

b) placing through the data communication network a stock purchase order or a stock selling order according to the trade condition;

c) [discriminating] determining whether or not the stock selling order or a stock purchase order has been contracted through the data communication network; and

d) placing by a computer through the data communication network a new stock selling [or] and purchase order at a new price according to the automatic trade condition when the stock selling or purchase order is contracted according to step c),

wherein step a) is executed by a user and the steps b), c), d) are executed without the intervention of the user; the new selling order price in step d) is higher than the contracted price determined in step c), and the new purchase order price in step d) is lower than the contracted price determined in step c).

3. Cancelled

4. Cancelled.

5. (Amended) An automatic stock ordering method, the method of trading stocks using a computer system connected to a data communication network, the method comprising [the steps of]:

a) [determining] selecting a trade-desired stock and inputting an automatic trade condition including a purchase condition and a selling condition in the computer system, the automatic trade condition comprises a selling price, a selling quantity, a purchase price and a purchase quantity;

b) placing through the data communication network one or more [than one] stock selling order(s) orders and one or more [than one] purchase order(s) according to the trade condition;

c) [discriminating] determining whether or not the stock selling or purchase order has been contracted through the data communication network; and

d) placing by the computer through the data communication network new stock selling and purchase orders at a new price according to the automatic stock trade condition when the stock selling or purchase order is contracted according to step c),

wherein step a) is executed by a user and steps b), c), d) are executed without the intervention of the user, the new selling order price in step d) is higher than the contracted price determined in step c), and the new purchase order price in step d) is lower than the contracted price determined in step c).

6. Cancelled

7. (Amended) The method as defined in claim 5 [or 6], wherein the step of inputting the automatic ordering condition further comprises a step of drawing up an automatic trade table, where an automatic trade order is generated from the base of the automatic trade table.

8. (Amended) The method as defined in claim 5 [or 6], wherein the automatic trade condition includes a target profit rate and further comprises a step of calculating a profit rate according to the automatic trading before a computer places a new stock selling order and purchase order in case the stock selling order or a stock purchase order is concluded to thereafter compare same with the target profit rate.

9. The method as defined in claim 8, wherein the automatic ordering condition further comprises an extra trade condition.

10. (Amended) The method as defined in claim 5 [or 6], wherein [the step of placing through the data communication network at least one or more than one stock selling and purchase order according to the trade condition] step b) further comprises a step of checking whether or not the trade condition has been satisfied before placing an order, and notifying [to a user an error] an error notice to the user if the condition is not met.

11. (Amended) An automatic ordering system of stocks, the system including a user computer system connectable to a computer system at the [Korea] Stock Exchange through a data communication network, the system comprising:

a user interface at the user computer system;

a memory device for storing a basic information data including an item code of a stock and an account number of a stock holder input to the computer system through the user interface;

a trade condition control module for storing an automatic stock trade condition data containing a desired selling price, desired selling quantity, desired purchase price, desired purchase quantity for trade of the stock input to the computer system through the user interface; and

a trade order control module for [discriminating] determining whether the automatic stock trade condition has been met and for placing a stock trade order according to the automatic stock trade condition at a new price through the data communication network if the condition is met,

wherein the trade order control module places through the data communication network a new stock selling or purchase order according to the automatic trade condition when the stock selling or purchase order is contracted, the new selling order price is higher than the contracted price, and the new purchase order price is lower than the contracted price.

12. Cancelled.

13. (Amended) The system as defined in claim 11 [or 12], wherein the trade condition control module generates an automatic trade including at least two or more than two automatic stock trade conditions.